6,958, 337 BD.

01/06/06 15:56 FAX 908 298 5405

SCHERING-PLOUGH

RECEIVED CENTRAL FAX CENTER

**2001/006** 

JAN 0 6 2006

SCHERING-PLOUGH CORPORATION

LAW DEPARTMENT

2000 GALLOPING HILL ROAD

K-6-1, MAIL STOP 1990

KENILWORTH, NEW JERSEY 07033

(908) 298-4000

Certificate

JAN 1 9 2006

of Correction

FACSIMILE TRANSMITTAL SHEET

FAX NUMBER: TO: (571) 273-8300 United States Patent Office PHONE NUMBER: FROM: (908) 298-5098 H. Eric Fischer TOTAL NO. OF PAGES INCLUDING COVER DATE

б

January 6, 2006

CONFIDENTIALITY NOTE: This sheet and/or the document(s) accompanying it contain information belonging to Schering-Plough Corporation and/or its affiliates which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above. If you have received this fax in error, please immediately notify us by telephone. If there is a problem with this transmission please call LaKeisha Robinson at (908) 298-5053.

NOTES/COMMENTS:

**Application No. 10/786,886** Re:

In Re Application of David R. Andrews, et al., Filed: 02/25/2004

Group Art Unit: 1624; Attorney Docket No. CD0787Q1 For: CRYSTALLINE ANTIFUNGAL POLYMORPH

#### Transmitted herewith are:

- Fax Cover Sheet (1 pg.)
- Certificate of Fax Transmission (1 pg.)
- Petition to Correct Errors (2 pgs.)
- Certificate of Correction (1 pg. in dupl..)

H. ERIC FISCHER

Attorney for Applicant

Registration No. 46,010

JAN 20 2006

PHONE: (908) 298-5098

FAX: (908) 298-5388

Docket Number:

CD0787Q1

Application No:

10/786,886

Filing Date:

02/25/2004

First Inventor:

PTO/SB/97 (09-04)

PTO/SB/97 (09-04)

http:: David R. Andrews, et al.

Approved for use through 07/31/2066. OMB 0651-0031

U.S. Patent and Trademark Officet U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Officet U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persona are required to respond to a collection of information unless it contains a valid OMB control number.

### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

01/06/2006

Date

H. Eric Fischer

Signature

Typed or printed name of person signing Certificate

46010

(908) 298-5098

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fax Cover Sheet (1 pg.) Cert. of Trans. (1 pg.) Petition to Correct (2 pgs.)

Cert. of Correction (1 pg. in dupl.)

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a borrefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the smooth of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office. U.S. Department of Commerce, P.O. 6ox 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# RECEIVED CENTRAL FAX CENTER

JAN 0 6 2006

PATENT CASE: CD0787Q1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrews, et al.

For Patent: CRYSTALLINE ANTIFUNGAL

**POLYMORPH** 

Serial No.: 10/786,886

U.S. Patent No. 6,958,337 B2

Filed: 02/25/2004

Examiner: Emily B. Bernhardt

Group Art Unit: 1624

Dated: January 6, 2006

Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### PETITION TO CORRECT ERRORS ON ISSUED PATENT

Petition is hereby made under 37 CFR §§ 1.322 to correct several errors in the claims of the above-identified issued patent. The errors are noted on Form PTO/SB/44 enclosed herewith.

Applicants respectfully submit that the above-noted errors are the fault of the Office. Accordingly, no fee is believed due. Issuance of a Certificate of Correction is respectfully requested. If there are questions, the undersigned Attorney-of-Record can be contacted.

January 6, 2006 SCHERING-PLOUGH CORPORATION Patent Department, K-6-1, 1990 2000 Galloping Hill Road Kenilworth, New Jersey 07033-0530

Telephone: (908) 298-5098 Fascimile: (908) 298-5388 Respectfully submitted

H. Eric Fischer Reg. No. 46,010 In the Claims:

Claim 1, col. 14, line 63: Please correct "the" to "a".

Docket Number:

CD0787Q1

Application No:

10/786,886

Filing Date: Express Mail Label:

PTO/SB/44 (04-104)
Approved for use through 04/03/01/07, QMB 0851-0033

Approved for use through 04/03/01/07, QMB 0851-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to reapond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

PTO/SB/44 (04-04)

### UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6958337

DATED

: 10/25/2005

INVENTOR(S) : David R. Andrews, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent

is hereby corrected as shown below:

In the Claims:

Claim 1, col. 14, line 63: Please correct "the" to "a".

MAILING ADDRESS OF SENDER:

PATENT NO.\_6958337

H. Eric Fischer

Schering-Plough Corporation, Patent Dept, K-6-1, 1990

2000 Galloping Hitl Road, Kenilworth NJ 07033-0530

This extlection of information is required by S7 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed explication form to the USPTO. Time will vary depending upon the individual case. Any complete, including gathering, preparing, and submitting the completed explications for reducing this burden, should be sent to the Chief Information Officer. Comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED COMMISSIONER OF Patents, P.O. Box 1450, Alexandria, FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. VA 22313-1450.

If you need assistance in completing the form, call 1-900-PTO-9199 and select option 2.

No. of additional copies

Docket Number:

CD0787Q1

Application No:

10/786,886

Filing Date:

02/25/2004

Express Mail Label:

PTC/SB/44 (04-04)
Approved for use through 04/30/2007. OMB 0851-0033
U.S. Patent and Tradamark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number.

(Also Form PTO-1050)

#### UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6958337

DATED

: 10/25/2005

INVENTOR(S) : David R. Andrews, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims:

Claim 1, col. 14, line 63: Please correct "the" to "a".

#### MAILING ADDRESS OF SENDER:

H Edc Fischer

Schering-Plough Corporation, Patent Dept, K-6-1, 1990 2000 Galloping Hill Road, Kenilworth NJ 07033-0530

PATENT NO.\_6958337

No. of additional copies

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a behavior by the public which is to fits (and by the USPTO to process) an application. Confidentially is governed by 39 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application from to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this torm and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 27313-1450. VA 22313-1450.

If you need assistance in completing the form, call 1-200-PTO-9199 and select option 2.

JAN 20 2006